

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

WHITNEY NATIONAL BANK,

Plaintiff,

v.

**HIGHWAY SOLUTIONS, LLC;
MICHAEL C. MARCATO and
ANNE S. MARCATO,**

Defendants.

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CASE NO.: 2:07-cv-415-ID

STATUS REPORT

Defendants Highway Solutions, LLC, Michael C. Marcato and Anne S. Marcato hereby file the following status report regarding their respective bankruptcy proceedings:

1. On July 18, 2007, the Court stayed this proceeding as to the Marcato Defendants. On September 27, 2007, the Court stayed this litigation as to Highway Solutions, LLC.

2. On July 14, 2008, the Court ordered that the Marcato Defendants and Highway Solutions, LLC file a joint report with the Court regarding the status of their respective bankruptcy proceedings.

3. The bankruptcy proceeding initiated by Michael C. Marcato and Anne S. Marcato remains pending in the United States Bankruptcy Court for the Middle District of Alabama, Case Number 07-30824, although it has now been converted from a Chapter 11 to a Chapter 7 bankruptcy.

4. The bankruptcy proceeding initiated by Highway Solutions, LLC remains pending in the United States Bankruptcy Court for the Middle District of Alabama, Case Number 07-31461.

This the 2nd day of September, 2008.

/s J. David Martin

Robert D. Segall (ASB-7354-E68R)
J. David Martin (ASB-7387-A54J)
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**COUNSEL FOR DEFENDANTS,
Highway Solutions, LLC
Michael and Anne Marcato**

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd of September, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

- **Gregory Carl Cook**
gcook@balch.com; cwicker@balch.com

/s J. David Martin
Of Counsel